

November 10, 2003

**By Courier**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
236 Massachusetts Ave., NE  
Suite 110  
Washington, DC 20002

RECEIVED

NOV 10 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re **EB Docket No. 03-152**  
**William L. Zawila, et al**

Dear Madam Secretary

On behalf of William L. Zawila, Avenal Educational Services, Inc., Central Valley Educational Services, Inc., H.L. Charles d/b/a Ford City Broadcasting, Linda Ware d/b/a Lindsay Broadcasting and Western Pacific Broadcasting, Inc., parties in the above-referenced proceeding, I submit herewith for filing an original and six copies of a "Status Report" pursuant to the request of Presiding Judge Arthur Steinberg.

Please direct any questions concerning this matter to the undersigned.

Sincerely yours,

Shelley Sadowsky

Counsel for William L. Zawila,  
Avenal Educational Services, Inc.  
Central Valley Educational Services, Inc.  
H.L. Charles d/b/a Ford City Broadcasting,  
Linda Ware d/b/a Lindsay Broadcasting  
Western Pacific Broadcasting, Inc.

cc As on Service List attached to Status Report

C+G

RECEIVED

NOV 10 2003

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**EB Docket No. 03-152**

In the Matter of	)	
	)	
WILLIAM L ZAWILA	)	Facility ID No 72672
	)	
Permittee of FM Station KNKS,	)	
Coalinga, California	)	
	)	
AVENAL EDUCATIONAL SERVICES, INC	)	Facility ID No. 3365
	)	
Permittee of FM Station KAAX,	)	
Avenal, California	)	
	)	
CENTRAL VALLEY EDUCATIONAL	)	Facility ID No. 9993
SERVICES, INC	)	
	)	
Permittee of FM Station KAJR,	)	
Firebaugh, California	)	
	)	
H L CHARLES D/B/A FORD CITY	)	Facility ID No. 22030
BROADCASTING	)	
	)	
Permittee of FM Station KZPE,	)	
Ford City, California	)	
	)	
LINDA WARE D/B/A LINDSAY	)	Facility ID No. 37725
BROADCASTING	)	
	)	
Licensee of FM Station KZPO,	)	
Lindsay, California	)	
	)	
In re Application of	)	
	)	
WESTERN PACIFIC BROADCASTING, INC	)	File No BR-19970804YJ
	)	Facility ID No. 71936
For Renewal of License for AM Station KKFO,	)	
Coalinga, California	)	

To The Honorable Arthur Steinberg

## **STATUS REPORT**

William L. Zawila ("Zawila"), Avenal Educational Services, Inc., Central Valley Educational Services, Inc., H. L. Charles d/b/a Ford City Broadcasting, Linda Ware d/b/a Lindsay Broadcasting and Western Pacific Broadcasting, Inc. (collectively with Zawila, referred to as "Zawila, et al"), by their undersigned counsel, hereby jointly file Zawila et al's Status Report in response to the Presiding Judge's directive issued at the September 9, 2003 prehearing conference.

1 Specifically, the presiding judge directed Zawila et al to file, by November 10, 2003, a status report concerning the possibility or progress of their efforts to sell the above-captioned stations in accordance with the Commission's Minority Distress Sale Policy.

2 In response thereto, Zawila et al reports as follows: Over the past eight weeks, as counsel to the licensees and/or permittees of KZPO, KZPE, KAJP, KAAX, KNKS, and KKFO, Zawila has engaged in various activities in an ongoing effort to effectuate a distress sale of the subject stations. Specifically, Zawila has had numerous telephone conferences with at least a dozen potential minority-controlled buyers, or their representatives, including current licensees in the San Joaquin Valley of central California where the subject stations are located. Zawila has provided technical and other information to these prospective buyers about the subject stations for their review and consideration.

3 In addition to the aforementioned telephone conferences, Zawila has had face-to-face meetings with a number of prospective buyers, some of whom are either current or former licensees in the San Joaquin Valley. Information regarding the technical

facilities and operations of the subject stations has also been provided to these prospective buyers. Zawila also has planned more meetings within the next two weeks with additional prospective buyers.<sup>1</sup>

4. Augmenting Zawila's efforts described above, undersigned counsel also has been attempting to seek prospective minority buyers for the stations. To this end, in September 2003, counsel sent over a dozen letters to various media brokers soliciting their assistance in procuring qualified buyers. Further, counsel has had numerous conversations with other communications counsel since mid-September 2003, either requesting their assistance to seek out potential minority purchasers, or responding to their inquiries about the case and the proposed distress sale. In some instances, such conversations between counsel have resulted in substantive discussions between Zawila and the client of the respective counsel with whom the undersigned has had conversations.

5. While some of the various prospective buyers have demonstrated an interest in acquiring the subject stations, there has also been a general reluctance among them to invest the customary rate of about \$10,000+ with a broadcast station appraiser to conduct the necessary appraisal of the stations - - presumably because there can be no assurance that such an expenditure will lead to an eventual acquisition of the subject stations. As of the date of this report, however, three potential buyers have advised either Zawila or the undersigned that they are in the process of submitting an appraisal.

---

<sup>1</sup> If the Judge desires to know the names of the various potential purchasers with whom Zawila has had discussions for the past two months, such information will be provided upon request, but it is respectfully requested that such information be kept confidential so as not to jeopardize any future distress sale.

6   Zawila et al however, have retained an appraiser since it is anticipated that the fair market value at the stations will be determined through the appraisals of both the sellers and the buyer. Specifically, the firm of H B LaRue Media Brokers was retained by Zawila et al in late September, 2003 to conduct the appraisal of the subject stations. Since that time, Zawila has had telephone conferences with the LaRue firm several times a week regarding this matter, and has personally met face to face with the head of the LaRue firm to supply information for the appraisal. This has been a complex process, however, because

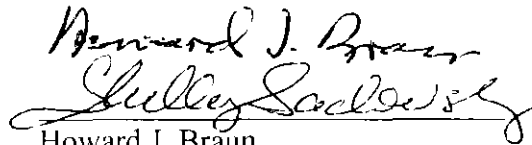
- a) the appraisal involves six different stations at different locations;
- b) the stations are owned by six different licensees and permittees;
- c) the stations serve different markets and service areas; and
- d) some of the stations are operating while others are not.

It is now anticipated that LaRue's appraisal for the six stations will be completed by November 15, 2003.

7   When Zawila et al 's appraisal is completed and anticipated appraisals from prospective purchasers also are received, Zawila et al will promptly move forward to attempt to effectuate a distress sale pursuant to and in compliance with the Minority Distress Sale Policy. In sum, Zawila et al will continue to give this matter top priority and remain hopeful that a distress sale will be accomplished soon.

8 If the Judge or Enforcement Bureau counsel desires further information concerning this Status Report, we will be glad to provide same.

Respectfully submitted,

Handwritten signatures of Howard J. Braun and Shelley Sadowsky. The signature of Howard J. Braun is written above the signature of Shelley Sadowsky.

Howard J. Braun

Shelley Sadowsky

KATTEN MUCHIN ZAVIS ROSENMAN

1025 Thomas Jefferson St., N.W.

East Lobby – Suite 700

Washington, D.C. 20007-5201

(202) 625-3500

(202) 625-7570 (fax)

Counsel for William L. Zawila, Avenal  
Educational Services, Inc., Central Valley  
Educational Services, Inc., H.L. Charles  
d/b/a Ford City Broadcasting, Linda Ware  
d/b/a Lindsay Broadcasting, Western Pacific  
Broadcasting Inc.

November 10, 2003

**CERTIFICATE OF SERVICE**

I, Karen R. Kelly, a secretary at Katten Muchin Zavis Rosenman, hereby certify that on this 10th day of November 2003, a copy of the foregoing **STATUS REPORT** was sent via hand delivery to the following:

The Honorable Arthur I. Steinberg  
Administrative Law Judge  
Federal Communications Commission  
445 Twelfth St., S.W.  
Room 1-C861  
Washington, D.C. 20554

Maureen F. Del Duca, Chief  
James Shook, Esq.  
David Janas, Esq.  
Investigations and Hearing Division  
Enforcement Bureau  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room 3A-463  
Washington, D.C. 20554

  
\_\_\_\_\_  
Karen R. Kelly